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- (2) Support annual funding recommendations to Congress in the *Annual Report on Funding Recommendations* required by 49 U.S.C. 5309(k)(1).
- (d) FTA will assign overall ratings for proposed Small Starts projects by averaging the summary ratings for project justification and local financial commitment. When the average of these ratings is unclear (e.g., summary project justification rating of "medium-high" and summary local financial commitment rating of "medium"), FTA will round up the overall rating to the higher rating except in the following circumstances:
- (1) A "medium" overall rating requires a rating of at least "medium" on both project justification and local financial commitment.
- (2) If a project receives a "low" rating on either project justification or local financial commitment, the overall rating will be "low."

§611.309 [Reserved]

APPENDIX A TO PART 611—DESCRIPTION OF MEASURES USED FOR PROJECT EVALUATION

PROJECT JUSTIFICATION

 $New\ Starts$

New Starts Project Justification

FTA will evaluate candidate New Starts projects according to the six project justification criteria established by 49 U.S.C. 5309(d)(2)(A)(iii). From time to time, but not less frequently than every two years as directed by 49 U.S.C. 5309(g)(5), FTA publishes for public comment policy guidance on the application of these measures, and the agency expects it will continue to do so. Moreover, FTA may choose to amend these measures, pending the results of ongoing studies regarding transit benefit and cost evaluation methods. In addition, FTA may establish warrants for one or more of these criteria through which an automatic rating would be assigned based on the characteristics of the project and/or its corridor. FTA will develop these warrants based on analysis of the features of projects and/or corridor characteristics that would produce satisfactory ratings on one or more of the criteria. Such warrants would be included in policy guidance issued for public comment before being finalized.

- (a) *Definitions*. In this Appendix, the following definitions apply:
- (1) Enrichments mean certain improvements to the transit project desired by the grant

recipient that are non-integral to the basic functioning of the project, whose benefits are not captured in whole by other criteria, and are carried out simultaneous with grant execution and may be included in the Federal grant. Enrichments include but are not limited to artwork, landscaping, and bicycle and pedestrian improvements such as sidewalks, paths, plazas, site and station furniture, site lighting, signage, public artwork, bike facilities, and permanent fencing. Enrichments also include sustainable building design features of up to 2.5 percent of the total cost of the facilities (when such facilities are designed to achieve a third-party certification or to optimize a building's design to use less energy, water and reduce greenhouse gas emissions that may not lead directly to an official certification).

- (2) Transit dependent person as used in this context means either a person from a household that owns no cars or a person whose household income places them in the lowest income stratum of the local travel demand model. For those project sponsors choosing to use the simplified national model "transit dependent persons" will be defined as individuals residing in households that do not own a car. Project sponsors that choose to continue to use their local travel model rather than the FTA developed simplified national model to estimate trips will define transit dependent persons as individuals in the lowest socioeconomic stratum as defined in the local model, which is usually either households with no cars or households in the lowest locally defined income bracket.
- (3) Trips mean linked trips riding on any portion of the New Starts or Small Starts project.
- (b) Mobility Improvements. (1) The total number of trips using the proposed project. Extra weight may be given to trips that would be made on the project by transit dependent persons in the current year, and, at the discretion of the project sponsor, in the horizon year. The method for assigning extra weight is set forth in policy guidance.
- (2) If the project sponsor chooses to consider project trips in the horizon year in addition to the current year, trips will be based on the weighted average of current year and horizon year.
- (c) Environmental Benefits. (1) The monetized value of the anticipated direct and indirect benefits to human health, safety, energy, and the air quality environment that are expected to result from implementation of the proposed project compared to:
- (i) The existing environment with the transit system in the current year or, (ii) at the discretion of the project sponsor, both the existing environment with the transit system in the current year and the no-build environment and transit system in the horizon year. The monetized benefits will be divided by the annualized capital and operating cost

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of the New Starts project, less the cost of enrichments.

- (2) Environmental benefits used in the calculation would include:
- (i) Change in air quality criteria pollutants.
- (ii) Change in energy use,
- (iii) Change in greenhouse gas emissions and
 - (iv) Change in safety,
- .(3) If the project sponsor chooses to consider environmental benefits in the horizon year in addition to the current year, environmental benefits will be based on the weighted average of current year and horizon year.
- (d) Congestion Relief. [Reserved]
- (e) Cost-effectiveness. (1) The annualized cost per trip on the project, where cost includes changes in capital, operating, and maintenance costs, less the cost of enrichments. compared to:
- (i) The existing transit system in the current year, or
- (ii) At the discretion of the project sponsor, both the existing transit system in the current year and the no-build transit system in the horizon year.
- (2) If the project sponsor chooses to consider cost-effectiveness in the horizon year in addition to the current year, cost-effectiveness will be based on the weighted average of current year and horizon year.
- (f) Existing Land Use. (1) Existing corridor and station area development;
- (2) Existing corridor and station area development character;
- (3) Existing station area pedestrian facilities, including access for persons with disabilities;
- (4) Existing corridor and station area parking supply; and
- (5) Existing affordable housing in the project corridor.
- (g) Economic Development. (1) The extent to which a proposed project is likely to enhance additional, transit-supportive development based on a qualitative assessment of the existing local plans and policies to support economic development proximate to the project including:
- (i) Growth management plans and policies; (ii) Local plans and policies in place to support maintenance of or increases to affordable housing in the project corridor; and
- (iii) Demonstrated performance and impact of policies.
- (2) At the option of the project sponsor, an additional quantitative analysis (scenario-based estimate) of indirect changes in VMT resulting from changes in development patterns that are anticipated to occur with implementation of the proposed project. The resulting environmental benefits from the indirect VMT would be calculated, monetized, and compared to the annualized capital and operating cost of the New Starts project in a

manner similar to that under the environmental benefits criterion. Such benefits are not included in the environmental benefits measure.

New Starts Local Financial Commitment

From time to time, but not less than frequently than every two years as directed by U.S.C. 5309(g)(5), FTA publishes policy guidance on the application of these measures, and the agency expects it will continue to do so. Moreover, FTA may choose to amend these measures, pending the results of ongoing studies. In addition, FTA may establish warrants for one or more of these criteria through which an automatic rating would be assigned based on the characteristics of the project and/or its corridor. FTA will develop these warrants based on analysis of the features of projects and/or corridor characteristics that would produce satisfactory ratings on one or more of the criteria. Such warrants would be included in draft policy guidance issued for comment before being final-

FTA will use the following measures to evaluate the local financial commitment of a proposed New Starts project:

- (a) The proposed share of total project costs from sources other than New Starts funds, including other Federal transportation funds and the local match required by Federal law;
- (b) The current financial condition, both capital and operating, of the project sponsor;
- (c) The commitment of funds for both the proposed project and the ongoing operation and maintenance of the existing transit system once the project is built including consideration of private contributions.
- (d) The reasonableness of the financial plan, including planning assumptions, cost estimates, and the capacity to withstand funding shortfalls or cost overruns.

$Small\ Starts$

Small Starts Project Justification

FTA will evaluate candidate Small Starts projects according to the six project justification criteria established by 49 U.S.C. 5309(h)(4), From time to time, but not less than frequently than every two years as directed by 49 U.S.C. 5309(g)(5), FTA publishes for public comment policy guidance on the application of these measures. Moreover, FTA may choose to amend these measures, pending the results of ongoing studies regarding transit benefit and cost evaluation methods. In addition, FTA may establish warrants for one or more of these criteria through which an automatic rating would be assigned based on the characteristics of the project and/or its corridor. Such warrants would be included in the policy guidance so that they may be subject to public comment.

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- (a) Mobility Improvements. (1) The total number of trips using the proposed project with extra weight given to trips that would be made on the project by transit dependent persons in the current year, and, at the discretion of the project sponsor, in the horizon year.
- (2) If the project sponsor chooses to consider project trips in the horizon year in addition to the current year, trips will be based on the weighted average of current year and horizon year.
- (b) Environmental Benefits. (1) The monetized value of the anticipated direct and indirect benefits to human health, safety, energy, and the air quality environment that are expected to result from implementation of the proposed project compared to:
- (i) The existing environment with the transit system in the current year or.
- (ii) At the discretion of the project sponsor, both the existing environment with the transit system in the current year and the no-build environment and transit system in the horizon year. The monetized benefits will be divided by the annualized federal share of the project.
- (2) Environmental benefits used in the calculation would include:
- (i) Change in air quality criteria pollutants,
- (ii) Change in energy use,
- (iii) Change in greenhouse gas emissions, and
 - (iv) Change in safety.
- (3) If the project sponsor chooses to consider environmental benefits in the horizon year in addition to the current year, environmental benefits will be based on the weighted average of current year and horizon year.
 - (c) Congestion Relief. [Reserved]
- (d) Cost-effectiveness. (1) The annualized federal share per trip on the project where federal share includes funds from the major capital investment program as well as other federal funds, compared to:
- (i) The existing transit system in the current year, or
- (ii) At the discretion of the project sponsor, both the existing transit system in the current year and the no-build transit system in the horizon year.
- (2) If the project sponsor chooses to consider cost-effectiveness in the horizon year in addition to the current year, cost-effectiveness will be based on the weighted average of current year and horizon year.
- (e) Existing Land Use. (1) Existing corridor and station area development;
- (2) Existing corridor and station area development character;
- (3) Existing station area pedestrian facilities, including access for persons with disabilities:
- (4) Existing corridor and station area parking supply; and

- (5) Existing affordable housing in the project corridor.
- (f) Economic Development. (1) The extent to which a proposed project is likely to enhance additional, transit-supportive development based on the existing plans and policies to support economic development proximate to the project including:
- (i) Growth management plans and policies;
- (ii) Policies in place to support maintenance of or increases to the share of affordable housing in the project corridor; and
- (iii) Demonstrated performance and impact of policies.
- (2) At the option of the project sponsor, an additional quantitative analysis (scenario-based estimate) to estimate indirect changes in VMT resulting from changes in development patterns that are anticipated to occur with implementation of the proposed project. The resulting environmental benefits would be calculated, monetized, and compared to the annualized federal share of the project.

Small Starts Local Financial Commitment

- If the Small Starts project sponsor can demonstrate the following, the project will qualify for a highly simplified financial evaluation:
- (a) A reasonable plan to secure funding for the local share of capital costs or sufficient available funds for the local share;
- (b) The additional operating and maintenance cost to the agency of the proposed Small Starts project is less than 5 percent of the project sponsor's existing operating budget; and
- (c) The project sponsor is in reasonably good financial condition, as demonstrated by the past three years' audited financial statements.

Small Starts projects that meet these measures and request greater than 50 percent Small Starts funding would receive a local financial commitment rating of "Medium." Small Starts projects that request 50 percent or less in Small Starts funding would receive a "High" rating for local financial commitment.

- FTA will use the following measures to evaluate the local financial commitment to a proposed Small Starts project if it cannot meet the conditions listed above:
- (a) The proposed share of total project costs from sources other than Small Starts funds, including other Federal transportation funds and the local match required by Federal law.
- (b) The current financial condition, both capital and operating, of the project sponsor;
- (c) The commitment of funds for both the proposed project and the ongoing operation and maintenance of the project sponsor's system once the project is built.
- (d) The reasonableness of the financial plan, including planning assumptions, cost

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estimates, and the capacity to withstand funding shortfalls or cost overruns.

PART 613—PLANNING ASSISTANCE AND STANDARDS

Subpart A—Metropolitan Transportation Planning and Programming

Sec.

613.100 Metropolitan transportation planning and programming.

Subpart B—Statewide Transportation Planning and Programming

613.200 Statewide transportation planning and programming.

Subpart C—Coordination of Federal and Federally Assisted Programs and Projects

613.300 Coordination of Federal and federally assisted programs and projects.

AUTHORITY: 23 U.S.C. 134, 135, and 217(g); 42 U.S.C. 3334, 4233, 4332, 7410 et seq; 49 U.S.C. 5303-5306, 5323(k); and 49 CFR 1.48(b), 1.51(f) and 21.7(a).

Subpart A—Metropolitan Transportation Planning and Programming

§ 613.100 Metropolitan transportation planning and programming.

The regulations in 23 CFR 450, subpart C, shall be followed in complying with the requirements of this subpart. The definitions in 23 CFR 450, subpart A, shall apply.

[72 FR 7285, Feb. 14, 2007]

Subpart B—Statewide Transportation Planning and Programming

§613.200 Statewide transportation planning and programming.

The regulations in 23 CFR 450, subpart B, shall be followed in complying with the requirements of this subpart. The definitions in 23 CFR 450, subpart A, shall apply.

[72 FR 7285, Feb. 14, 2007]

Subpart C—Coordination of Federal and Federally Assisted Programs and Projects

§613.300 Coordination of Federal and federally assisted programs and projects.

The coordination of Federal and federally assisted programs and projects implementing OMB revised Circular No. A-95, which are set forth in 23 CFR part 420, subpart C, are incorporated into this subpart.

[41 FR 33443, Aug. 9, 1976]

PART 614—TRANSPORTATION INFRASTRUCTURE MANAGEMENT

AUTHORITY: 23 U.S.C. 303; 49 U.S.C. 5303-5305; and 49 CFR 1.48 and 1.51.

SOURCE: 61 FR 67175, Dec. 19, 1996, unless otherwise noted.

§ 614.101 Cross-reference to management systems.

The regulations in 23 CFR Part 500, subparts A and B shall be followed in complying with the requirements of this part. Part 500, subparts A and B implement 23 U.S.C. 303 for State development, establishment, and implementation of systems for managing traffic congestion (CMS), public transportation facilities and equipment (PTMS), intermodal transportation facilities and systems (IMS), and traffic monitoring for highways and public transportation facilities and equipment.

PART 622—ENVIRONMENTAL IM-PACT AND RELATED PROCE-DURES

Subpart A—Environmental Procedures

Sec.

622.101 Cross-reference to procedures.

Subpart B [Reserved]

Subpart C—Requirements for Energy Assessments

622.301 Buildings.